

App. No. 10/713,594  
Amendment Dated January 3, 2007  
Reply to Final Office Action of October 30, 2006

### REMARKS/ARGUMENTS

Claims 2-11 and 44-53 are pending in this application. Claims 2-11 and 44-53 stand rejected. Claims 2, 44 and 50 have been amended to clarify the claimed subject matter. No new matter has been added. In view of the following remarks, reconsideration and allowance of all pending claims are respectfully requested.

#### **Claim Rejections under 35 U.S.C. §112**

The Office Action rejected claims 2-11 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse the rejections. With regard to claim 2, the Office Action states that the specification never suggests a two way communication between the mobile device and the broadcast transmitter. (Office Action, at page 2). Claim 2 has been amended to recite a modulator that comprises a localcast mode. Claim 2 is allowable.

#### **Claim Rejections under 35 U.S.C. §103**

The Office Action rejected claims 44-51 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,548,814 ("Lorang") in view of U.S. Patent No. 5,442,646 ("Chadwick"). With regard to claim 44, the cited art fails to teach or suggest claim 44. Claim 44 recites a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. A single means that is arranged to transmit one signal and receive a different signal provides the advantage of reducing size and power consumption of the electronics. (Specification, at page 3). In contrast to a single means adapted to transmit one

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signal and receive a different signal, Lorang teaches two distinct means for transmitting and receiving the signals taught by Lorang. Lorang teaches a first antenna assembly 14 that is associated with a paging receiver 12 to receive a first signal. Lorang teaches a separate second antenna assembly 18 that is associated with a separate Rx/Tx device 16 to transmit a second signal. Lorang describes the details of the paging receiver 12 and the Rx/Tx device 16 in Figure 11. There, it can be seen that Lorang teaches the use of a summing unit 349 that sums separate inputs received from the paging receiver 12 and the Rx/Tx device 16 so that a first signal may be received on a separate means from the means to transmit a second signal. In contrast to the arrangement described by Lorang, a single means of transmitting one signal and receiving a different signal would not require a summer 349, and thus the summer 349 would be of no use. As such, Lorang's use of the summer 349 teaches away from a signal means of transmitting one signal and receiving a different signal of Lorang. Thus, Lorang does not disclose a means for *transmitting the encoded data* provided by the data source over a locally-unused FM frequency *when the mobile device is in the localcast mode and for receiving information content in a broadcast mode.*

Chadwick fails to overcome these deficiencies because Chadwick is addressed only to encoding in a paging system (Chadwick, at Fig. 2), and does not teach or suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. Thus, Lorang in view of Chadwick, either singly or in motivated combination, do not teach or suggest the recited limitations. Claim 44 is allowable.

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With regard to claim 45, the cited references, either singly or in motivated combination, do not teach or otherwise suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. Claim 45 is allowable.

With regard to claim 46, the cited references, either singly or in motivated combination, do not teach or otherwise suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. Claim 46 is allowable.

With regard to claim 47, the cited references, either singly or in motivated combination, do not teach or otherwise suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. Claim 47 is allowable.

With regard to claim 48, the cited references, either singly or in motivated combination, do not teach or otherwise suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. Claim 48 is allowable.

With regard to claim 49, the cited references, either singly or in motivated combination, do not teach or otherwise suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. Claim 49 is allowable.

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With regard to claim 50, the cited art fails to teach or suggest claim 50. Claim 50 recites an interface that is coupled to a data source, wherein the interface is arranged for receiving data from the data source when the mobile device is in a localcast mode and when the mobile device is in a broadcast mode. A single interface that is arranged to receive two different signals provides the advantage of reducing size and power consumption of the electronics. (Specification, at page 3). In contrast to a single interface adapted to receive two signals, Lorang teaches two distinct interfaces for receiving the signals taught by Lorang. Lorang teaches a first antenna assembly 14 that is associated with a paging receiver 12 to receive a first signal. Lorang teaches a separate second antenna assembly 18 that is associated with a separate Rx/Tx device 16 to receive a second signal. Lorang describes the details of the paging receiver 12 and the Rx/Tx device 16 in Figure 11. There, it can be seen that Lorang teaches the use of a summing unit 349 that sums separate inputs received from the paging receiver 12 and the Rx/Tx device 16. In contrast to the arrangement described by Lorang, a single interface of receiving two signals would not require a summer 349, and thus the summer 349 would be of no use. As such, Lorang's use of the summer 349 teaches away from a signal interface of receiving both signals of Lorang. Thus, Lorang does not teach an interface that is coupled to a data source, wherein the interface is *arranged for receiving data from the data source when the mobile device is in a localcast mode and when the mobile device is in a broadcast mode.*

Chadwick fails to overcome these deficiencies because Chadwick is addressed only to encoding in a paging system (Chadwick, at Fig. 2), and does not teach or suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a

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broadcast mode. Thus, Lorang in view of Chadwick, either singly or in motivated combination, do not teach or suggest the recited limitations. Claim 50 is allowable.

With regard to claim 51, the cited references, either singly or in motivated combination, do not teach or otherwise suggest an interface that is coupled to a data source, wherein the interface is arranged for receiving data from the data source when the mobile device is in a localcast mode and when the mobile device is in a broadcast mode. Claim 51 is allowable.

The Office Action rejected claims 52 and 53 under 35 U.S.C. §103(a) as being unpatentable over Lorang in view of Chadwick and further in view of U.S. Patent App. 2002/0051499 ("Cameron"). With regard to claim 52, the cited art fails to teach or suggest claim 52. Claim 52 recites an interface that is coupled to a data source, wherein the interface is arranged for receiving data from the data source when the mobile device is in a localcast mode and when the mobile device is in a broadcast mode. Lorang teaches two distinct interfaces for receiving the signals taught by Lorang. As such, Lorang also teaches the use of a summing unit 349 that sums separate inputs received from the paging receiver 12 and the Rx/Tx device 16. Lorang's use of the summer 349 teaches away from a signal interface of receiving both signals of Lorang. Thus, Lorang does not teach an interface that is coupled to a data source, wherein the interface is *arranged for receiving data from the data source when the mobile device is in a localcast mode and when the mobile device is in a broadcast mode.*

Chadwick fails to overcome these deficiencies because Chadwick is addressed only to encoding in a paging system (Chadwick, at Fig. 2), and does not teach or suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency

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when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. Cameron is addressed to a method for encoding and decoding information using turbo code (Cameron, at Abstract), and does not teach or suggest a means for transmitting the encoded data provided by the data source over a locally-unused FM frequency when the mobile device is in the localcast mode and for receiving information content in a broadcast mode. Thus, Lorang in view of Chadwick and further in view of Cameron, either singly or in motivated combination, do not teach or suggest the recited limitations. Claim 52 is allowable.

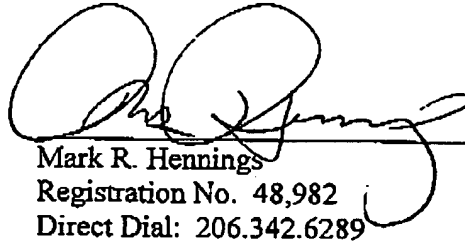
With regard to claim 53, the cited references, either singly or in motivated combination, do not teach or otherwise suggest an interface that is coupled to a data source, wherein the interface is arranged for receiving data from the data source when the mobile device is in a localcast mode and when the mobile device is in a broadcast mode. Claim 53 is allowable.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

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Respectfully submitted,

MERCHANT & GOULD P.C.



Mark R. Hennings  
Registration No. 48,982  
Direct Dial: 206.342.6289

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
206.342.6200

